

ADDITIONAL PROTECTIONS FOR KEY RAIL HUBS AND SHARED RESOURCES

On Nov. 18, BNSF asked the Surface Transportation Board (STB) to deny the proposed Union Pacific (UP)-Norfolk Southern (NS) merger. If the merger is approved, our filing asks the STB to require four primary conditions to protect customers: competitive access for Northeast intermodal shipments, a neutral terminal railroad on the Gulf Coast, an Interline Preservation Mechanism to keep shared routes competitive, and Open Access for customers served by only one railroad.

BNSF also requested narrower protections for specific rail hubs and shared resources that the whole industry relies on:

TTX Railcar Pool

- **What we requested:** The merged UP-NS railroad would keep its ownership of TTX, the industry's shared railcar pool, below 50%. Major corporate decisions would need a two-thirds supermajority vote.
- **Why it matters:** Every major railroad relies on TTX railcars. No single railroad should control it.

Memphis

- **What we requested:** Remove any agreements that could block construction of the Kentucky Street connection between BNSF and CSX.
- **Why it matters:** It would protect a competitive connection that is already planned.

New Orleans

- **What we requested:** An independent, neutral dispatcher for the Huey P. Long Bridge and the Back belt, both of which the merged UP-NS railroad would otherwise control.
- **Why it matters:** It would keep train movement fair and even-handed through one of the country's key rail hubs.

St. Louis and Kansas City Terminal Railroads

- **Our position:** BNSF does not oppose transferring NS's ownership interests in the Terminal Railroad Association of St. Louis and the Kansas City Terminal Railway to CN.
- **Why it matters:** Ownership by a railroad outside the merger would help keep access to these shared terminal railroads fair.

BNSF remains firmly opposed to this merger. These conditions are necessary but not sufficient. They would only partly offset the harm to customers and competition. The Surface Transportation Board (STB) should deny this merger.

Learn more:
www.BNSF.com/PreserveRailCompetition

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